

## EXHIBIT 4

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NETJUMPER, L.L.C.,  
a Michigan limited liability corporation,

Plaintiff,

vs.

GOOGLE, INC.,  
a California corporation,

Defendant.

Case No. 04-70366-CV  
Hon. Julian Abele Cook  
Magistrate Judge R. Steven Whalen

SOMMERS SCHWARTZ, P.C.  
Andrew Kochanowski (P55117)  
Nabeel N. Hamameh (P60981)  
Attorneys For Plaintiff  
2000 Town Center, 9<sup>th</sup> Floor  
Southfield, MI 48075  
(248) 355-0300

BANIAK, PINE & GANNON  
Michael Baniak  
Co-Counsel For Plaintiff  
150 N. Wacker Drive, Suite 1200  
Chicago, IL 60606  
(312) 673-0360

DICKINSON WRIGHT, PLLC  
Kathleen A. Lang (P34695)  
L. Pahl Zinn (P57516)  
Attorneys For Defendant  
500 Woodward Ave., Ste. 4000  
Detroit, MI 48226  
(313) 223-3500

FISH & RICHARDSON, P.C.  
Howard G. Pollack  
Attorneys For Defendant  
500 Arguello Street, Ste. 500  
Redwood City, CA 94063  
(650) 839-5070

FISH & RICHARDSON, P.C.  
Frank E. Scherkenbach  
225 Franklin Street  
Boston, MA 02110-2804  
(617) 542-5070

**PLAINTIFF'S SUPPLEMENTAL ANSWER TO INTERROGATORY# 1 OF**  
**DEFENDANT GOOGLE INC.'S FIRST SET OF INTERROGATORIES**

NOW COMES Plaintiff, by and through its attorneys, SOMMERS SCHWARTZ, P.C., and for its supplemental answer to Interrogatory #1 of Defendant Google Inc.'s First Set of Interrogatories, states as follows:

LAW OFFICES  
SOMMERS SCHWARTZ, P.C.  
2000 TOWN CENTER • SUITE 900 • SOUTHFIELD, MICHIGAN 48076 • (248) 355-0300

**INTERROGATORIES**

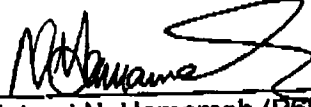
1. For each claim of the patents-in-suit that You contend is infringed by Google, provide an infringement claim chart that fully and completely states the basis for such contention, including identifying Your construction of each element of such claim, every Google product (including product version number, release number and/or release date, and particular feature) (i.e., "accused Google product") that You contend infringes such claim, how each element of such claim is met by or is present in each such accused Google product, whether literal or by the doctrine of equivalents, all facts, information and data alleged to support such contention, and if such alleged infringement is indirect (i.e., under 35 U.S.C. §§ 271 (b) and/or (c)), identify all persons or entities who You contend directly infringe such claims.

**ANSWER:** Plaintiff objects to this Interrogatory on the grounds it is overly broad, and premature. Without waiver of its objection, NetJumper refers Google to Attachment 1 for an infringement chart showing the claims of the patents-in-suit, the current version of Google Toolbar, and the Google Viewer as it existed in approximately January, 2004. NetJumper is not yet aware of Google's position concerning infringement, and therefore cannot respond factually whether Google has caused indirect or contributory infringement. Investigation continues.

**Supplemental response:** Please see the attached amended infringement chart for a supplementation of Claim #1, specifically the portion of the claim that states "displaying a first and a second icon separate from the search window on said display screen"

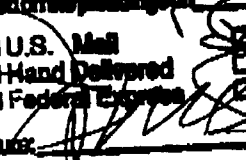
Respectfully submitted,

SOMMERS SCHWARTZ, P.C.

  
Nabeel N. Hamameh (P60981)  
Attorneys for Plaintiff  
2000 Town Center Drive, Suite 900  
Southfield, MI 48075-1100  
(248) 355-0300

**PROOF OF SERVICE**

The undersigned certifies that the foregoing instrument was served upon the parties to the above cause to each of the attorneys at their respective addresses disclosed on the pleadings.



By:  ☒ FAX ☐ U.S. Mail ☐ Hand Delivered ☐ Overnight Courier ☐ Federal Express ☒ Other

Signature: 

Dated: September 21, 2004

**INFRINGEMENT CHART**  
**PATENT 5,890,172**

<b>Claims</b> <b>U.S. Patent No. 5,890,172</b>	<b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b>
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<p align="center"><b>Claims</b> <b>U.S. Patent No. 5,890,172</b></p>	<p align="center"><b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b></p>
<p>1. A computer implemented method for searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, and the method for searching comprising the acts performed on the local computer of:</p> <p>constructing a search window on a display screen of the local computer;</p> <p>displaying a first and a second icon separate from the search window on said display screen;</p> <p>retrieving an initial data file from the network together with displaying the initial data file in the search window, and the initial data file including location identifiers;</p> <p>parsing the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon; and</p> <p>retrieving a first data file corresponding to a selected one of the location identifiers in the stored initial list together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p>The method is shown as follows: Google Toolbar utilizes http protocol in software in a browser "Add-On" with computer readable code in a C++ (or other language) module to integrate with the browser.</p> <p>The "network of nodes with data files" are (for example). <u>Search Results</u> shown in <u>Screen Capture-1</u>.</p> <p>"The data files identifiable by a location identifier" are, for example, the links shown in the returned search results, such as "Welcome to AURA" in <u>Screen Capture-1</u> which has the location identifier "http://www.aura-astronomy.org/" shown in the "Address" location in <u>Screen Capture-2</u>.</p> <p>The "search window" that is constructed is shown in <u>Screen Capture-1</u> with search term "Universities".</p> <p>The first icon is the "Search Web"  button on the Google Toolbar.</p> <p>The second icon is the "Next and Previous"  Web Button. Both are "separate from the search window on said display screen."</p> <p>The retrieved "initial data file from the network" that is displayed "in the search window" in <u>Screen Capture-1</u> is identified as <u>Search Results</u>. This file contains "location identifiers".</p> <p>The Google Toolbar parses location identifiers from the initial data file as follows: when the "Next" Web Button shown in <u>Screen Capture-2</u> is clicked, the "initial data file with list of location identifiers" buffered in the Google Toolbar is parsed to "form an initial list of location identifiers together with storing the initial list". The "stored initial list" corresponds to the "10 sites" of the Google Toolbar description contained and identified in <u>Screen Capture-3</u>.</p> <p>When the "Previous" or "Next" Web Button is clicked, "a first data file corresponding to a selected one of the location identifiers in the stored initial list" is retrieved and "displayed in the search window."</p>


Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>2. The computer implemented method of claim 1 wherein; said initial data file comprises information in a markup language; and</p> <p>said location identifiers comprise URLs.</p>	<p>The method is performed as shown in <u>Code Listing-1</u>, representing the Search Results which displays the hypertext "<i>markup language</i>" of the said "<i>initial data file</i>" representing the Search Results in <u>Screen Capture-1</u>.</p> <p><u>Lines 295-363</u> of <u>Code Listing-1</u> contain "<i>said location identifiers</i>" which "<i>comprise URLs</i>" such as the <u>Welcome to AURA</u> link (Line 313) shown in <u>Screen Capture-1</u> which contains the location identifier URL <a href="http://www.aura-astronomy.org/">http://www.aura-astronomy.org/</a> (Line 313).</p>
<p>3. The computer implemented method of claim 1 wherein: said initial file and said first data file comprise information in a markup language; and</p> <p>said location identifiers comprise URLs.</p>	<p>The method is performed as shown in <u>Code Listing-2</u> representing, for example, the "<u>Welcome to AURA</u>" link in <u>Screen Capture-1</u> which has the location identifier <a href="http://www.aura-astronomy.org/">http://www.aura-astronomy.org/</a>, additionally displays a hypertext "<i>markup language</i>" of "<i>first data file</i>," which is shown in <u>Screen Capture-2</u>.</p> <p><u>Lines 295-363</u> in <u>Code Listing-1</u> contain "<i>said location identifiers</i>" which "<i>comprise URLs</i>".</p>
<p>4. The computer implemented method of claim 1 wherein said retrieving act further comprises;</p> <p>retrieving the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier, together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p>The Google Toolbar retrieves the first data file corresponding to one of the location identifiers in the stored initial list, from a group consisting of a next location identifier, a prior location identifier, a first location identifier and a last location identifier, together with displaying the first data file in the search window, responsive to a selection of the second icon, as follows: the method is shown in <u>Code Listing-2</u>, representing, for example, the "<u>Welcome to AURA</u>" file in <u>Screen Capture-2</u> which, for example, has the location identifier <a href="http://www.aura-astronomy.org/">http://www.aura-astronomy.org/</a> at <u>Line 313</u> of <u>Code Listing-1</u> and has a next location identifier of <a href="http://www.universities-scotland.ac.uk/">http://www.universities-scotland.ac.uk/</a> at <u>Line 320</u> and a previous location identifier of <a href="http://www.nasutgc.org/">http://www.nasutgc.org/</a> at <u>Line 306</u>, and a first location identifier of <a href="http://www.aascu.org/">http://www.aascu.org/</a> at <u>Line 297</u>, and a last location identifier of <a href="http://www.neoucom.edu/">http://www.neoucom.edu/</a> at <u>Line 355</u>.</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>5. A computer usable medium having computer readable program code means embodied therein for searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, the computer readable program code means in said article of manufacture comprising:</p> <p>computer readable program code means for causing a computer to construct a search window on a display screen of the local computer;</p> <p>computer readable program code means for causing a computer to display a first and a second icon separate from the search window on said display screen;</p> <p>computer readable program code means for causing a computer to retrieve an initial data file from the network and displaying the initial data file in the search window, and the initial data file including location identifiers;</p> <p>computer readable program code means for causing a computer to parse the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon; and</p> <p>computer readable program code means for causing a computer to retrieve a first data file corresponding to a selected one of the location identifiers in the stored initial list together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p><i>"For searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files," as described in Claim #1 above, with "computer readable program code" for a browser "Add-On" written in a method, for example, for an Internet Explorer Toolbar Add-on.</i></p> <p>Google's browser "Add-On" is the "computer readable program code" that "participates in processing."</p> <p><i>"Construct a search window on a display screen of the local computer," as described in Claim #1 above with "computer readable program code" as described above.</i></p> <p><i>"Display a first and a second icon separate from the search window on said display screen," as described in Claim #1 above with "computer readable program code" as described above.</i></p> <p><i>"An initial data file from the network and displaying the initial data file in the search window, and the initial data file including location identifiers," as described in Claim #1 above with "computer readable program code" as described above.</i></p> <p><i>"Parse the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon," as described in Claim #1 above with "computer readable program code" as described above.</i></p> <p><i>"Retrieve a first data file corresponding to a selected one of the location identifiers in the stored initial list together with displaying the first data file in the search window, responsive to a selection of the second icon," as described in Claim #1 above with "computer readable program code" as described above.</i></p>

<p align="center"><b>Claims</b> <b>U.S. Patent No. 5,890,172</b></p>	<p align="center"><b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b></p>
<p>6. The computer readable program code means in said article of manufacture of claim 5 comprising:</p> <p>computer readable program code means for causing a computer to retrieve the initial data file, wherein said initial data file, comprises information in a markup language and said location identifiers comprise URLs.</p>	<p><i>"Wherein said initial data file, comprises information in a markup language and said location identifiers comprise URLs," as described in Claim #2, above with "computer readable program code" as described above in Claim #5, first paragraph.</i></p>
<p>7. The computer readable program code means in said article of manufacture of claim 5 comprising:</p> <p>computer readable program code means for causing a computer to retrieve the initial data file and the first data file, wherein each of said initial and said first data files, comprise information in a markup language and said location identifiers comprise URLs.</p>	<p><i>"Wherein each of said initial and said first data files, comprise information in a markup language and said location identifiers comprise URLs," as described in Claim #3, above with "computer readable program code" as described above in Claim #5, first paragraph.</i></p>
<p>8. The computer readable program code means in said article of manufacture of claim 5 comprising:</p> <p>computer readable program code means for causing a computer to retrieve the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p><i>"Retrieve the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier together with displaying the first data file in the search window, responsive to a selection of the second icon," as described in Claim #4, above with "computer readable program code" as described above in Claim #5, first paragraph.</i></p>



<p align="center"><b>Claims</b> <b>U.S. Patent No. 5,890,172</b></p>	<p align="center"><b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b></p>
<p>9. A computer implemented method for searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, and the method for searching, comprising the acts performed on the local computer of:</p> <p>constructing a search window on a display screen of the local computer;</p> <p>displaying a first and a second icon separate from the search window on said display screen;</p> <p>retrieving an initial data file from the network together with displaying the initial data file in the search window, and the initial data file including location identifiers;</p> <p>parsing the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon; and</p>	<p>The method is shown as follows: Google Toolbar utilizes http protocol in a software browser with a browser "Add-On" with computer readable code in C++ code module (or other language) to integrate with the browser.</p> <p>The "network of nodes with data files" are the <u>Search Results</u> shown in <u>Screen Capture-6</u>.</p> <p>"Each of the data files identifiable by a location identifier" are the links shown in the search results such as, for example, "Welcome to AURA," which has the location identifier "http://www.aura-astronomy.org".</p> <p>The "search window" that is constructed is shown in <u>Screen Capture-6</u> with search term "Universities".</p> <p>The "First Result" and "Play" Web Buttons in <u>Screen Capture-5</u> are the displayed "first and second icon separate from the search window on said display screen" which are located in the Google Toolbar.</p> <p>The <u>Search Results</u> is the retrieved "initial data file from the network" that is displayed "in the search window" in <u>Screen Capture-1</u>, and this file contains "location identifiers".</p> <p>When the "First Result" Web Button (e.g., <u>Screen Capture-5</u>) is clicked, the "initial data file with list of location identifiers" buffered in the Google Toolbar is parsed to "form an initial list of location identifiers together with storing the initial list". The "stored initial list" corresponds to the "10 sites" of the Google Toolbar description contained and identified in <u>Screen Capture-3</u>.</p>

<p align="center"><b>Claims</b> <b>U.S. Patent No. 5,890,172</b></p>	<p align="center"><b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b></p>
<p>automatically retrieving at a predefined time interval data files corresponding to each of the location identifiers in the stored initial list, together with successively displaying the data files in the search window, responsive to a single selection of the second icon.</p>	<p>When the "user selects" the play button  with the mouse, shown as a green triangle in the "navigational tool bar" shown in <u>Screen Capture-6</u>, it calls the function <i>fPlay()</i> as shown in <u>Line 428</u> in <u>Code Listing-3</u>. Whenever a Line Number is referred to in the remainder of this document, it is referring to a <u>line number in Code Listing-3</u>.</p> <p>Function <i>fPlay()</i> begins the automatic "continuous scrolling slide show" as shown in <u>Line 298</u> by calling function <i>fSlideShow()</i> (<u>Lines 220-226</u>) which in turn performs the steps that follow directly below.</p> <p>On <u>Line 223</u> function <i>fSlideShow()</i> calls function <i>fNext()</i> which begins on <u>Line 254</u>.</p> <p><i>fNext()</i> in turn calls <i>fSetResultNo()</i> on <u>Line 267</u> which "selects a first site identifier" from the "stored list of identifiers" in the statement on <u>Line 233</u>, which takes the variable <i>cur_page</i> (current page) and selects it into the current <i>resultno</i> element of the DHTML (dynamic hypertext markup language) document.</p> <p>After calling <i>fSetResultNo()</i>, the <i>fNext()</i> function then calls the function <i>fScroll()</i> on <u>Line 268</u> which "animates" the current site identifier into view in the "Jumper Window" as identified in <u>Screen Capture-2</u>.</p> <p>Finally, <i>fNext()</i> calls function <i>fLoadNext()</i> on <u>Line 285</u> which calls function <i>fGetUrl()</i> which "directs the browser to access the file at the site" as shown on <u>Line 72</u>.</p> <p>The statement on <u>Line 72</u> uses the "stored list of identifiers" in the array <i>U</i> from <u>Lines 15-25</u>.</p> <p>The display of the data files in the Search window occurs at function <i>fLoadNext()</i> <u>Lines 248-252</u>, called by <i>fNext()</i> called in function <i>fSlideShow()</i>.</p> <p>The Jumper initiates the delay at <u>Line 224</u> in function <i>fSlideShow()</i>. Specifically, the timer set in <u>Line 224</u> of function <i>fSlideShow()</i> (i.e. <i>delay*1000</i>) results in the "end of the interval" that results in a another call to <i>fSlideShow()</i> which repeats the process above, which "selects the next site identifier" from the "stored list of site identifiers".</p>

<b>Claims</b> <b>U.S. Patent No. 5,890,172</b>	<b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b>
<p>10. The computer implemented method of claim 9 wherein:</p> <p>said initial data file comprises information in a markup language; and</p> <p>said location identifiers comprise URLs.</p>	<p>The method is shown in <u>Code Listing-3</u>, the data file comprising information in a <i>markup language</i> and <u>Lines 16-25</u> shows the "<i>site identifiers</i>" contained in the initial file of information which "<i>comprise URLs</i>".</p>
<p>11. The computer implemented method of claim 9 wherein:</p> <p>said initial data file and said first data file comprise information in a markup language; and</p> <p>said location identifiers comprise URLs.</p>	<p>The method is shown in <u>Code Listing-3</u>, the data file comprising information in a "<i>markup language</i>" and <u>Lines 16-25</u> shows the "<i>site identifiers</i>" contained in the initial file of information which "<i>comprise URLs</i>". Similarly, the "AURA" website represented in <u>Code Listing-2</u> is composed of a "<i>markup language</i>" which includes "<i>location identifiers (links) composed of URLs</i>".</p>

<p align="center"><b>Claims</b> <b>U.S. Patent No. 5,890,172</b></p>	<p align="center"><b>Google Toolbar for Claims 1-8</b> <b>Google Viewer for Claims 9-14</b></p>
<p>12. A computer usable medium having computer readable program code means embodied therein for for [sic; repeated word] searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, and the computer readable program code means in said article of manufacture comprising:</p> <p>computer readable program code means for causing a computer to construct a search window on a display screen of the local computer;</p> <p>computer readable program code means for causing a computer to display a first and a second icon separate from the search window on said display screen;</p> <p>computer readable program code means for causing a computer to retrieve an initial data file from the network together with displaying the initial data file in the search window, and the initial data file including location identifiers;</p> <p>computer readable program code means for causing a computer to parse said initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon;</p> <p>computer readable program code means for causing a computer to automatically retrieve at a predefined time interval data files corresponding to each of the location identifiers in the stored initial list, together with successively displaying the data files in the search window, responsive to a single selection of the second icon.</p>	<p>The method and process is described in Claim #9 above, with <i>computer readable program code</i> as shown in <u>Code Listing-3</u>.</p>
<p>13. The computer readable program code means in said article of manufacture of claim 12 comprising:</p> <p>computer readable program code means for causing a computer to receive said initial data file, wherein said initial data file, comprises information in a markup language and said location identifiers comprise URLs.</p>	<p>The method and process is described in Claim #10 above, with <i>computer readable program code</i> as shown in <u>Code Listing-3</u>.</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>14. The computer readable program code means in said article of manufacture of claim 12 comprising:</p> <p>computer readable program code means for causing a computer to receive said initial data file and said first data file, wherein said initial data file and said first data file, comprise information in a markup language and said location identifiers comprise URLs.</p>	<p>The method and process is described in Claim #11 above, with <i>computer readable program code</i> as shown in <u>Code Listing-3</u>.</p>

LAW OFFICES

SOMMERS, SCHWARTZ, SILVER & SCHWARTZ

PROFESSIONAL CORPORATION

2000 TOWN CENTER

SUITE 200

SOUTHFIELD, MICHIGAN 48075-1100

NABEEL N. HAMAMEH  
Direct Numbers  
(248) 748-4587  
Fax (248) 938-1878  
nhamameh@s4online.com

FIRM NUMBERS  
(248) 355-0300  
fax (248) 748-4001  
email@s4online.com  
www.s4online.com

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TO: **Michael M Rosen, Esq.**  
**(858) 678-5099**

**Jason W. Wolff, Esq.**  
**(858) 678-5099**

**L. Pahl Zinn, Esq.**  
**(313) 223-3598**

**Michael Baniak, Esq.**  
**(312) 673-0361**

FROM: **Nabeel N. Hamameh**

DATE: **September 21, 2005**

RE: **Netjumper Software, LLC v. Google Inc.**  
**USDC-Eastern District of Michigan Case No. 04-CV-70366**

TIMEKEEPER/ 354  
CLIENT/MATTER NUMBER: 157869-1

**COMMENTS:**

Please see enclosed.

\*\*\*\*\*  
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## LAW OFFICES



PROFESSIONAL CORPORATION

LAWRENCE WARREN	RICHARD D. FOX	ROBERT D. BICKEL	DAVID R. GRICO	DANIELLE G. SCHWARTZ	SENIOR COUNSEL
STEVEN J. SCHWARTZ	FRANK MAPPE	JOHN I. RUNCO	RANDALL M. DE LU	JAMES R. McNALLY	NORMAN S. SCHWARTZ
JOHN F. VOS III	JAMES J. VLASO	TRACY L. ALLEN	JENNIFER M. CRICCI	KEVIN J. STOOPE	HOWARD SILVER
JEFFREY N. SHILLMAN	LEON M. SCHURIN	IAN G. MORGAN	CAMERON R. GETTO	MANDY K. TURNBULL	CHARLES S. PARKER
NORMAN G. TUCKER	VICTOR A. COEN	ANDREW W. KOCHANOWSKI	SAMUEL A. MEHLER		DAVID ALLAN KAPLAN
ROBERT M. DARLING	RICHARD L. GROFFSKY	ANNE M. SCHOEFFLE	GERALD O. KELLER		
PAUL W. HENSE	DAVID J. WINTER	KENNETH T. WATKINS	MURRAY C. KLOMOVITZ	OF COUNSEL	
DONALD J. GARDNER	JOSEPH E. ORSHAN	JAY D. VASBO	ROHARD G. BRENNER	LEONARD S. SCHWARTZ	STANLEY S. SCHWARTZ
PATRICK B. MCCALLLEY	DAVID M. BLACK	J. LEE TILSON	PETER L. SCHWARTZ	PAUL GROFFSKY	(1999-2004)
JUSTIN C. RANTZ	S.A. TYLER	HELEN K. JOYNER	LENA AHREZ	DAVID R. GETTO	PATRICK J. BURGETT
ALLEN J. KOVINSKY	DANIEL D. SWANSON	PATRICIA A. STAMLER	MICHAEL E. GERACHIO	DAVID L. NELSON	(1996-2004)
JOSEPH A. GOLDEN	MICHAEL J. GUNNINGHAM	LISA K. HERNICK	BETH M. DESMON	GARY A. TABACK	JURNEY L. WINNER
WILLIAM M. BRUKOFF	MATTHEW G. CURTIS	KENNETH H. BURROGH	BRADLEY W. BUTCHER	MARVIN R. STEPHEN	(1943-2001)
RICHARD D. TOTH	CHARLES R. ASH III	DAVID J. SZYMANSKI	NABEEL N. HAMAMEH	M. ROLLIN ALLEN	KENNETH V. COOPER
ALLEN J. WALL	ROBERT J. SCHWARTZ	GERALD D. WAHL	KIM E. SNOVER	PAUL L. NINE, P.C.	(1938-1998)

September 21, 2005

Via facsimile and 1<sup>st</sup> class mail

Jason W. Wolff, Esq.  
Fish & Richardson  
12390 El Camino Real  
San Diego, CA 92130

Re: NetJumper, L.L.C. v Google, Inc.  
USDC-Eastern District of Michigan Case No. 04-70366

Dear Jason:

Please find enclosed NetJumper Software, L.L.C.'s supplemental response to Google's Interrogatory #1 of its first set. Should you have any questions, please contact me.

Very truly yours,

SOMMERS SCHWARTZ, PC

Nabeel N. Hamameh

cc: Michael M. Rosen, Esq.  
L. Pahl Zinn, Esq.  
Michael Baniak, Esq.

2000 TOWN CENTER • SUITE 900 • SOUTHFIELD, MI 48075-1100 • (248) 355-0300 • FAX (248) 746-4001 • www.sommerspc.com

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